



01-09-08

2886

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Victor Higgs
Assignee: Nanometrics Incorporated
Title: Detection Method and Apparatus Metal Practiculates on Semiconductors
Serial No.: 10/549,865 Filing Date: July 28, 2006
Examiner: Isiaka O. Akanbi Group Art Unit: 2886
Docket No.: NAN165 US (8037) Confirmation No: 4772

Saratoga, California
January 8, 2008

MS Amendment
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(b)**

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, §1.97 and §1.98, the Applicant submits for consideration in the above-identified patent application the documents listed on the accompanying Form PTO/SB/08. Copies of documents numbered 28-78 are also submitted herewith. The remaining documents are not attached hereto, because these documents are issued patents or publications, which are readily available in the U.S. Patent and Trademark Office. The Examiner is requested to make all of the listed documents of record.

This Information Disclosure Statement is submitted pursuant to 37 CFR §1.97(b) as it within three months of the filing date of a national application other than a continued prosecution application and/or before the mailing of a first Office Action on the merits. Accordingly, no fee is required.

Applicant would appreciate the Examiner initialing and returning the Form PTO/SB/08, indicating that the information has been considered and made of record herein.

In addition, Applicant submits for the Examiner's consideration the prosecution histories of the following co-owned applications/patents, cited by serial number, publication number, first named inventor, and filing date. The Applicant presumes that

SILICON VALLEY
PATENT GROUP LLP

18805 Cox Avenue
Suite 220
Saratoga, CA 95070

(408) 378-7777
FAX (408) 378-7770

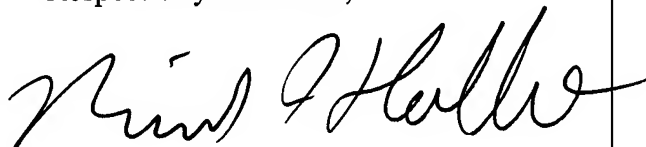
the Examiner has access to and will review the applications/patents and the files thereof for any office actions, amendments or other materials that may be relevant to the patentability of the claims of the present application. For any such U.S. patent application(s) that are currently pending, the Applicant further presumes that the Examiner will consider any future office actions, amendments or other materials in the file thereof that may be relevant to the patentability of the claims herein. **If the Applicant's understanding in this regard is not correct, please notify the undersigned so that copies of any such documents can be submitted to the Examiner with the necessary precautions so that the file may be expunged of any proprietary information that is considered unimportant to a reasonable examiner.**

| | Serial No. | Publication No. | Filing Date | First Named Inventor |
|----|------------|------------------|-------------|----------------------|
| 1. | 09/254,521 | 7,113,276 | 09-05-1997 | Higgs et al. |
| 2. | 11/528,723 | CON of 7,113,276 | 09-26-2006 | Higgs et al. |
| 3. | 11/177,735 | 2007/0008526 | 07-08-2005 | Buczowski |
| 4. | 11/475,792 | 2007/0000434 | 06-26-2006 | Buczowski |
| 5. | 11/426,877 | 2007/0008518 | 06-27-2006 | Hummel et al. |
| 6. | 11/427,080 | 2007/0007466 | 06-28-2006 | Laurent et al. |
| 7. | 11/343,500 | 2007/0176119 | 01-30-2006 | Hummel |

The information contained in this Information Disclosure Statement is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

**Via Express Mail Label No.
EM 107 940 924 US**

Respectfully submitted,



Michael J. Halbert
Attorney for Applicants
Reg. No. 40,633

SILICON VALLEY
PATENT GROUP LLP

18805 Cox Avenue
Suite 220
Saratoga, CA 95070

(408) 378-7777
FAX (408) 378-7770